
AGENDA ITEM: Good Cause Extension Request – Ed Ahead

Issue

Ed Ahead was granted a charter on January 14, 2008 to serve grades K-5 with an identified start date of August 11, 2008. As part of the application, the applicant agrees and signs a statement acknowledging that the charter contract must be executed within twelve months of the date of approval.

As a condition to signing the charter contract, the approved applicant must provide proof of a secured facility. Due to difficulties finding an appropriate facility and the current state of the economy, Ed Ahead is requesting a Good Cause Extension to the signing and execution of the charter contract to begin providing services for the 2011-2012 school year.

If the Board approves the extension of the signing and execution of the charter contract, Board staff shall review the approved application and the current application administrative checklist to determine whether additions or substantive changes are necessary to bring the application current with policy, rule, state or federal law. The approved applicant must submit the requested changes to the Board staff 90 days prior to the opening of the school. State aid funding will not initiate until the Board staff have determined that the requested submission is complete and sufficient and all other requirements of the Board have been fulfilled.

Policy Statement for a Good Cause Extension to the Charter Contract

Communications with School

On October 7, 2008, a letter was sent to the charter representative notifying them of the pending expiration of the approved charter.

On December 18, 2008, the Board received the request for a Good Cause Extension for Ed Ahead.

Board Options

If the Board determines that the extension should be granted, the motion should include the length of time for the extension to sign the charter and a requirement that the approved applicant submit any documentation necessary to bring the application current with policy, rule, state or federal law at least 90 days prior to the signing of the contract.

1. Approve the Good Cause Extension to the signing and execution of the charter contract for Ed Ahead until January 31, 2011 with a planned opening date of Fall 2011-2012 and that the applicant submit any documentation necessary to bring the application current with policy, rule, state or federal law at least 90 days prior to the signing of the contract.
2. Approve a Good Cause Extension to the signing and execution of the charter contract for Ed Ahead until January 31, 2010 or another date that provides a progress update and further consideration based on the approved new charter application at the time of consideration.
3. Deny the request for a Good Cause Extension. If the request is denied, the applicant has the option to reapply for a charter through the application process.

Staff Recommendation

Staff's recommendation is option 2 above.

ED AHEAD

1638 E. Water Street
Tucson, Arizona 85719

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December 18, 2008

Heather Kelley
Arizona State Board for Charter Schools
1700 West Washington St. Rm. 164
Phoenix, AZ 85007

Dear Ms. Kelley,

Ed Ahead is requesting a good cause extension for the signing of the charter contract. The original location selected for the school was dropped due to unforeseen compliance issues with the city. (C of O etc.)

Other locations were suggested by Ed Ahead's realtor, evaluated by Ed Ahead and declared unsuitable for various reasons.

Most recently, a location was selected, and an offer to purchase was negotiated. The architect and selected contractors performed an extensive examination on the building during the due diligence period. The purchase of this location failed due to difficulty obtaining financing. The current commercial real estate market and financing market have made the selection and purchase of a school site difficult at this time. Ed Ahead is continuing to search for a site.

Ed Ahead is requesting an extension of its contract signing to January of 2011.

Sincerely,



John Penczar

Arizona State Board for Charter Schools

1700 W. Washington Street, Room 164
Phoenix, AZ 85007



Phone: (602) 364-3080
Fax: (602) 364-3089

October 7, 2008

John Penczar
Ed Ahead
1638 E. Water Street
Tucson, AZ 85719

Dear Mr. Penczar:

This letter is to inform you that the approved charter application for Ed Ahead expires on January 14, 2009. As stated in the charter application that was signed by you on December 5, 2007, "The charter school applicant acknowledges that if approved to operate a charter school, he/she must execute a charter contract with the Arizona State Board for Charter Schools within twelve months of the date of approval of the charter by the Arizona State Board for Charter Schools. A charter that is not timely signed expires."

Ed Ahead may request a Good Cause Extension for the signing of the charter contract, if a request is submitted no later than December 19, 2008. If you fail to request a Good Cause Extension, the approved charter will expire January 14, 2009 with no further notice. You may submit a new application during the new application cycle if you choose to re-apply.

Please feel free to contact me at 602.364.3080 if you have any questions.

Sincerely,

Heather Kelley
Contracts & Administrative Services Manager